IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

E'ANDRE MOTT   §

VS.   §   CIVIL ACTION NO. 1:22-CV-608

SHERIFF, JEFFERSON COUNTY   §

ORDER OVERRULING PETITIONER'S OBJECTIONS ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner E'Andre Mott, a prisoner previously confined at the Jefferson County Correctional

Center, proceeding *pro se*, filed this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C.

§ 2241.

The Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate

Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court.

The magistrate judge recommends dismissing the Petition without prejudice.

The Court has received and considered the Report and Recommendation of United States

Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available

evidence. Petitioner filed Objections to the Report and Recommendation of United States Magistrate
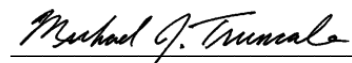
Judge.

The Court has conducted a *de novo* review of the Objections in relation to the pleadings and

the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the Court concludes the

Objections are without merit. This Petition concerns pretrial matters in a state criminal proceeding

that were mooted by Petitioner's conviction. *Yohey v. Collins*, 985 F.2d 222, 228-29 (5th Cir. 1993).

Any claims concerning his conviction that were not mooted by his conviction cannot be raised in a

federal habeas petition until Petitioner has exhausted state court remedies. 28 U.S.C. § 2254(b).

<div align="center">ORDER</div>

Accordingly, Petitioner's Objections [Dkt. 14] are OVERRULED. The findings of fact and

the conclusions of law of the magistrate judge are correct, and the magistrate judge's Report and

Recommendation [Dkt. 13] is ADOPTED. A final judgment will be entered in this case in

accordance with the magistrate judge's recommendation.

<div align="center">**SIGNED this 18th day of June, 2024.**</div>

Michael J. Truncale
United States District Judge